

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

BRAD R. JOHNSON,)	Civil Action No.: 4:10-cv-664-TLW-TER
)	
Plaintiff,)	
)	
-vs-)	
)	REPORT AND RECOMMENDATION
)	
LAUREL WOODS HOMEOWNERS)	
ASSOCIATION, RONALD YEAZEL,)	
d/b/a TAYLOR MADE TOWING, and)	
KARL TRAVIS,)	
)	
Defendants.)	
_____)	

On March 11, 2011, the undersigned entered an Order (Document # 23) noting that dismissal of Defendant Ronald Yeazel d/b/a Taylor Made Towing may be appropriate pursuant to Rule 4(m), Fed.R.Civ.P. and directing Plaintiff to either file proof that this Defendant has been served or show good cause for his failure to serve this Defendant within the time specified in Rule 4(m). Plaintiff has failed to comply with the Order.

Rule 4(m), Fed.R.Civ.P., provides that a Summons and Complaint must be served within 120 days of the filing of the Complaint. If such service does not occur, the Court can either dismiss the case or, if plaintiff shows good cause for the failure to serve, direct service be effected. Rule 4(m) states that “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Rule 4(m), Fed.R.Civ.P.

In accordance with Rule 4(m), it is recommended that Plaintiff’s claims against Defendant Ronald Yeazel d/b/a Taylor Made Towing be dismissed.

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge

April 11, 2011
Florence, South Carolina

The parties are directed to the important notice on the following page.